

UNITED STATES DISTRICT COURT

for the

District of Montana

United States of America

v.

JOSEPH NATHAN SMELLS

Date of Original Judgment: 04/23/2020

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: CR 19-110-BLG-SPW

USM No: 17742-046

David F. Ness

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 54 months _____ months is reduced to time served _____.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 04/23/2020 shall remain in effect.

IT IS SO ORDERED.

Order Date: 02/29/2024

Effective Date: 03/11/2024

(if different from order date)


Judge's signature

Susan P. Watters, U.S. Dist. Judge
Printed name and title